



DOCKET NO. END-5240

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert J. Dunki-Jacobs et al.

Serial No.: 10/713,637

Art Unit:

Filed : November 14, 2003

Examiner:

For : METHODS AND DEVICES FOR DETECTING TISSUE CELLS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 11, 2004

(Date of Deposit)

Linda F. Hansen

(Name of applicant, person mailing, assignee, or Registered Representative)

(Signature)

March 11, 2004

(Date of Signature)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Robert J. Dunki-Jacobs et al. entitled METHODS AND DEVICES FOR DETECTING TISSUE CELLS attorney Docket No. END-5240, to complete, pursuant to Rule 51, this application filed on November 14, 2003 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/END-5240/GSG in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/ END-5240/GSG.

Respectfully submitted,

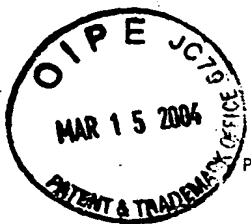
Gerry S. Gressel.

Reg. No. 34,342

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Dated: March 11, 2004



Please type a plus sign (+) inside this box ☐

PTO/SB/01 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required) <b>OR</b>	Attorney Docket Number	END-5240P
	First Named Inventor	Robert J. Dunki-Jacobs et al.
	<b>COMPLETE IF KNOWN</b>	
	Application Number	10/713,637
	Filing Date	November 14, 2003
	Group Art Unit	Not assigned
	Examiner Name	Not assigned

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND DEVICES FOR DETECTING TISSUE CELLS**  
(Title of the Invention)

the specification of which

☐ is attached hereto

**OR**

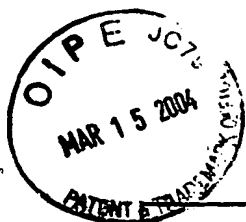
☒ was filed on (MM/DD/YYYY) **11/14/2003** as United States Application Number or PCT International Application Number  
**10/713,637** and was amended on (MM/DD/YYYY) ☐

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



### DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/426,211	November 14, 2002	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

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☐ Practitioner(s) named below:  
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as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to at telephone number (513) 337-3535.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) Robert J.		<b>Family Name</b> or Surname Dunki-Jacobs	
<b>Inventor's Signature</b> 		<b>Date</b> 11/19/2003	
<b>Residence: City</b> Mason	<b>State</b> OH	<b>Country</b> USA	<b>Citizenship</b> USA
<b>Mailing Address</b> 4600 Wesley Court			
<b>City</b> Mason	<b>State</b> OH	<b>ZIP</b> 45040	<b>Country</b> USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) Yoav		<b>Family Name</b> or Surname Avidor	
<b>Inventor's Signature</b> 		<b>Date</b> Nov. 19. 2003	
<b>Residence: City</b> Cincinnati,	<b>State</b> OH	<b>Country</b> USA	<b>Citizenship</b> USA
<b>Mailing Address</b> 5488 East Galbraith, Cincinnati, OH 45236			
<b>City</b> Cincinnati,	<b>State</b> OH	<b>ZIP</b> 45236	<b>Country</b> USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>Given Name</b> (first and middle [if any]) Michael P.		<b>Family Name</b> or Surname Weir	
<b>Inventor's Signature</b> 		<b>Date</b> Nov 19, 2003	
<b>Residence: City</b> Blanchester,	<b>State</b> OH	<b>Country</b> USA	<b>Citizenship</b> USA
<b>Mailing Address</b> 6510 Edwardsville Road			
<b>City</b> Blanchester,	<b>State</b> OH	<b>ZIP</b> 45107	<b>Country</b> USA